In the High Court of Punjab and Haryana, at Chandigarh.

Civil Writ Petition No. 8503 of 2009

Date of Decision: 29.11.2010

Bahadurgarh Chamber of Commerce & Industry

…Petitioner

Versus

State of Haryana and Others

…Respondents

CORAM: HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA.

Present: Mr. Parveen Garg, Advocate
for the petitioner.

Ms. Kirti Singh, Deputy Advocate
General, Haryana, for the respondents.

Kanwaljit Singh Ahluwalia, J. (Oral)

The present writ petition has been filed by Bahadurgarh Chamber of Commerce and Industry. During the course of arguments, learned counsel for the petitioner has made a primary grievance that the order dated 25.4.2009 (Annexure P7) has not been passed in consonance with the direction given by the Co-ordinate Bench of this Court in the order dated 18.2.2009 (Annexure P5), in the earlier round of litigation. The said order reads as under:-

> *"...Learned counsel states that let the petition be dismissed as withdrawn and this petition be treated as representation by respondent No.1.*
>
> *Petition dismissed as withdrawn.*

> *Respondent No.1 would treat the petition as a representation and take a decision thereon and convey the same to the petitioners within 60 days of receipt of copy of the order. In case the petitioners seek personal hearing they would be given an opportunity of being heard. The other affected parties would also be heard. The representation would be disposed of by a speaking and reasoned order..."*

Learned counsel for the petitioner submits that it was incumbent upon respondent No.2 to decide the representation but instead of respondent No.2-Registrar, Firms and Societies, Haryana, Chandigarh, the representation has been decided by respondent No.3-District Registrar, Firms and Societies, Jhajjar.

Ms. Kirti Singh, Deputy Advocate General, Haryana, appearing for the respondents, has relied upon the notification dated 10.7.2003 (Annexure R1) issued by the State of Haryana, whereby the powers of the Registrar, Firms and Societies, Haryana, have been assigned to the District Registrar, Firms and Societies, Jhajjar. However, learned counsel for the respondents has very fairly submitted that without joining the issue, to comply with the order dated 18.2.2009 (Annexure P5), passed by this Court, in letter and spirit, respondent No.2-Registrar, Firms and Societies, Haryana, Chandigarh, shall decide the representation in terms thereof within a period of 60 days from today and therefore, the impugned order dated 25.4.2009 (Annexure P7) be considered as withdrawn.

Learned counsel for the petitioner submits that in view of the fair stand, taken by learned counsel for the respondents, he does not press the present writ petition and the same be dismissed as such.

Ordered accordingly.

(Kanwaljit Singh Ahluwalia)
Judge

November 29, 2010
"DK"